

REMARKS

Amendments to claims 1, 6, and 13 are for the purpose of clarifying what Applicant regards as the invention. No new matter has been added.

Please note that the attorney docket no. has been changed to "2024486-7007792001".

I. FIRST NAMED INVENTOR

First named OK
See
The first page of the Office Action indicates that the first named inventor is Edmond Ken Lee. However, the first named inventor should be Barry Kitazumi, who has assigned his entire right in his invention in "A Putter Towel Clip", including the subject application, to Edmund Ken Lee (See assignment recorded in Reel/Frame: 012679/0005). *address*
signature

II. ALLOWED CLAIMS

Applicant wishes to thank the Examiner for allowing claims 14-17.

III. CLAIM OBJECTION

No
Claim 6 stand objected to under 37 C.F.R. § 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 6 has been amended to remove such alleged deficiency.

IV. CLAIM REJECTIONS UNDER U.S.C. § 102

Claims 1, 2, 4, 6, and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,993,126 ("Collins"). Claims 1, 2, 4, 5, 6, 7, 9, 10, and 13 stand rejected under 35

U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,671,515 (“Evans”). Applicant respectfully notes that in order to sustain a rejection under §102, each element in the rejected claim must be found, either expressly or inherently, in the cited reference.

Claims 1 and 13 each recites a body with a first aperture shaped to receive a portion of a golf club. Collins does not disclose or suggest such limitation. Rather, Collins discloses a holder 20 having an elongated slot 30 shaped to receive a strap 13 of an upstanding portion 12 of a chair 11 (See figures 1-3, and column 1, line 66 to column 2, line 24 of the specification). The elongated slot 30 of Collins is not *shaped* to receive a portion of a golf club. For at least the foregoing reason, claim 1 is believed allowable over Collins.

Evans also does not disclose or suggest the above discussed limitation. Rather, Evans discloses a member 12 having a loop 40 that is shaped to attach to a D-ring 38 of a golf bag (See figures 5 and 6, and column 3, lines 48-52 of the specification). There is nothing in Evans that discloses or suggests a body having an aperture shaped for receiving a portion of a golf club. For at least the foregoing reason, claims 1 and 13 are believed allowable over Evans.

For at least the same reasons that claim 1 is allowable, claims 2-10, which depend from claim 1, are also believed allowable over the cited references.

During a telephonic conversation with the Applicant’s attorney on September 8, 2003, the Examiner indicated that the limitation, “adapted to receive a portion of a golf club” had been considered a functional / intent to use limitation in the previous Office Action. Claims 1 and 13 have been amended to clarify that the aperture of the body is structurally *shaped* so that the aperture can receive a portion of a golf club. Applicant respectfully submits that a *shape* of an aperture is a structural limitation. As such, reconsideration and allowance of claims 1-10 and 13 are respectfully requested.

CONCLUSION

Based on the foregoing, all pending claims are believed in condition for allowance. If, the Examiner has any questions or comments regarding this amendment, please contact the undersigned at the below-listed number.

Respectfully submitted,

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